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15 **UNITED STATES DISTRICT COURT**
16 **DISTRICT OF NEVADA**

17 MICHAEL FELLING, an individual,

18 Case No.: 2:20-cv-02014-GMN-BNW

19 Plaintiff,

20
21 **STIPULATION AND ORDER TO**
22 **EXTEND TIME FOR DEFENDANT**
23 **HOMEAWAY.COM, INC. TO RESPOND**
24 **TO THE COMPLAINT**

25 **(First Request)**

26 vs.
27 HOMEAWAY, INC., a Delaware
28 Corporation; GENERALI GLOBAL
ASSISTANCE, INC., a New York
corporation; MARCO JIMMERSON, an
individual; DEVOYIOUS MARK, an
individual; DOE individuals I through X;
and ROE corporations and organizations I
through X, inclusive,

29 Defendants.

30
31 **STIPULATION**

32 Whereas on September 22, 2020, Plaintiff Michael Felling commenced this action
33 against Defendant Homeaway.com, Inc. (erroneously sued as "Homeaway, Inc.") in the
34 Eighth Judicial District Court for Clark County, Nevada;

35 Whereas Felling purports to have served Homeaway with the summons and
36 complaint on September 30, 2020, and whereas Homeaway disputes that service was
37 proper;

1 Whereas on October 20, 2020, Felling's counsel and Homeaway's counsel agreed
2 that Homeaway would have up to and through Friday, December 4, 2020, to respond to
3 the complaint; and

4 Whereas on October 30, 2020, Homeaway removed the case to this Court by filing
5 a Petition for Removal (ECF No. 1).

6 Now, therefore, based on the foregoing and in light of the removal, Felling and
7 Homeaway confirm and memorialize their agreement that Homeaway has up to and
8 through Friday, December 4, 2020, to respond to the complaint so that Homeaway may
9 meaningfully investigate this matter and assert its defenses, including, without
10 limitation, any defenses related to lack of jurisdiction, improper venue, insufficiency of
11 process, and insufficiency of service of process, which defenses Homeaway does not
12 waive by filing this stipulation. This is the first stipulation for an extension of time for
13 Homeaway to respond to the complaint.

14
15 Dated: November 10, 2020

16 BALLARD SPAHR LLP

17 By: /s/ Maria A. Gall
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23 *Attorneys for Plaintiff*
24 *MICHAEL FELLING*

25 **ORDER**

26 IT IS SO ORDERED:

27 
28 UNITED STATES JUDGE

DATED: 11/13/2020